

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Claims 1-34 are pending in this application. Claim 1 has been amended to correct a minor punctuation error and new Claim 34 has been added to provide Applicants a scope of claim coverage to which they are entitled without the introduction of any new matter. Note page 53, line 2 – page 66, line 1, for example.

In addition, Applicants include amended Figures 11-13 and 22 to correct obvious informalities without the additional any new matter.

The outstanding Office Action includes a requirement for a new oath/declaration, a rejection of Claims 1, 3, 4, 7, 12, 14, 15, 18, 23, 25, 26, and 29 under 35 U.S.C. §102(e) as being anticipated by Sakaida (U. S. Patent No. 6,392,765), a rejection of Claims 2, 6, 13, 17, 24, and 28 under 35 U.S.C. §103(a) as being unpatentable over Sakaida in view of Sekine et al. (U.S. Patent No. 5,754,710, Sekine), a rejection of Claims 5, 16, and 27 under 35 U.S.C. §103(a) as being unpatentable over Sakaida in view of Dube et al. (U.S. Patent No. 6,782,143, Dube), and a rejection of Claims 8-11, 19-22, and 30-33 under 35 U.S.C. §103(a) as being unpatentable over Sakaida in view of Kuwata (U. S. Patent No. 6,768,559).

The outstanding Action asserts that a new oath/declaration is required because “an oath or declaration has not been received.” This assertion of nonreceipt is contradicted by the enclosed copy of the date-stamped filing receipt of August 6, 2001, that acknowledges the filing of the Declaration along with other papers. A copy of the filing receipt and Declaration are attached hereto. In view of the enclosed evidence of an actual filing of the Declaration asserted by the outstanding Action to be missing, withdrawal of the requirement for a new oath/declaration is respectfully urged to be in order.

Turning to the rejection of Claims 1, 3, 4, 7, 12, 14, 15, 18, 23, 25, 26, and 29 under 35 U.S.C. §102(e) as being anticipated by Sakaida it is noted that the reliance on col.

21, lines 34-50 and lines 57-58 of Sakaida as teaching the claimed subject matter of the “first function of determining a blending ratio” is misplaced as this portion of Sakaida does not teach or suggest this first function as set forth by independent Claims 1, 12, and 23 in terms of determining a blending ratio that “appraises the attribute of the image, based on reference pixels around a pixel of target of interpolation and determines a blending ratio between pixel interpolations generated by said first interpolation processing and those generated by said second interpolation processing, based on the appraised attribute.”

This blending ratio requirement set forth by independent Claims 1, 12, and 23 can be seen to include the following two elements:

1) “appraises the attribute of the image, based on reference pixels around a pixel of target,” and

2) determines a blending ratio between pixel interpolations generated by said first interpolation processing and those generated by said second interpolation processing, based on the appraised attribute.”

Sakaida does not appraise the attribute of the image based on reference pixels to acquire the signal SD, because the division signal SD is a ratio of interpolation and the result of interpolation is mere tone value of interpolated pixel. Sakaida does not teach or suggest any concern for reference pixels around a target pixel and does not teach or suggest the feature 1).

In Sakaida, multiplication is achieved by multiplying the division signal SD and the interpolation signal SL (Sakaida col. 21, line 57). The division signal SD is a mere coefficient of SL. Therefore, the multiplication is not a blending of two results of interpolations.

Furthermore, the division signal SD of Sakaida is not a blending ratio, because the division signal SD is not based on any appraised value as claimed. The division signal SD is

acquired as simply a ratio of corrected interpolation signals SC' /SB' (Sakaida col. 21, line 45). Therefore, Sakaida does not disclose the above-noted feature 2).

Thus, Sakaida fails to teach all of the limitations set forth by independent Claims 1, 12, and 23 and withdrawal of this rejection as applied to independent Claims 1, 12, and 23 is believed to be in order.

As rejected Claims 3, 4, and 7 depend from the above-noted independent Claim 1, rejected Claims 14, 15, and 18 depend from the above-noted independent Claim 12, and Claims 25, 26, and 29 depend from the above-noted independent Claim 23, these dependent Claims clearly cannot be said to be anticipated by Sakaida for at least the reasons noted above as to the parent independent Claims 1, 12, and 23. Therefore, withdrawal of this rejection as applied to dependent Claims 3, 4, 7, 14, 15, 18, 25, 26, and 29 is also believed to be in order.

Similarly, the rejection of Claims 2, 6, 13, 17, 24, and 28 under 35 U.S.C. §103(a) as being unpatentable over Sakaida in view of Sekine, the rejection of Claims 5, 16, and 27 under 35 U.S.C. §103(a) as being unpatentable over Sakaida in view of Dube, and that of Claims 8-11, 19-22, and 30-33 under 35 U.S.C. §103(a) as being unpatentable over Sakaida in view of Kuwata all rely on Sakaida to teach the above-noted "first function of determining a blending ratio" of base independent Claims 1, 12, and 23 from which these dependent Claims 2, 5, 6, 8-11, 13, 16, 17, 19-22, 24, 27, 28, and 30-33 all ultimately depend. As none of Sekine, Dube, and/or Kuwata considered alone or together in any proper combination (with or without Sakaida) cure the above noted deficiencies of Sakaida, the withdrawal of these rejections is also believed to be in order.

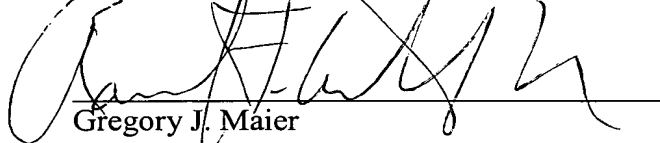
Finally, it is noted that new Claim 34 depends ultimately on base independent Claim 1. Accordingly, it too clearly defines patentably over any of Sakaida, Sekine, Dube, and/or Kuwata considered alone or together in any proper combination.

Application No. 09/840,075
Reply to Office Action of 12/23/04

As no further issues are believed to remain outstanding in the present application, it is believed that this application is clearly in condition for formal allowance and an early and favorable action to that effect is, therefore, respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

A handwritten signature in black ink, appearing to read 'Gregory J. Maier', is written over a horizontal line.

Gregory J. Maier
Attorney of Record
Registration No. 25,599
Raymond F. Cardillo, Jr.
Registration No. 40,440

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

IN THE DRAWINGS

The attached sheets of drawings include changes to Figs. 11-13 and 22. These sheets, which include Figs. 11-13 and 22, replace the original sheets including Figs. 11-13 and 22.

Attachment: Replacement Sheets.